REMARKS

SECTION 101

Applicant objects to the rejection based on 35 U.S.C. § 101.

First, claims 96-103 have been present in this application for nearly four years, since April 18, 2001. In spite of the numerous examinations and discussions of the claims since that time, the Patent Office has never objected to the claims on this basis in the past, and Applicant submits it has not done so because the claims are completely consistent with the requirements of Section 101.

To reject the claims now on this basis is to subject the claims to piece-meal prosecution.

Second, even if the legal precedent did support the Patent Office's interpretation of the case law set forth in the office action -- which it does not -- the claims conform with that interpretation in any event.

Claim 96 does not recite technology in a "trivial manner." One of the recited purposes of the claim is the provision of personalization information over a client/server network. Information must be stored in a manner indicating that information is locked or unlocked such that locked information cannot be changed; this further requires the use of technology. The method also requires the sending of a web page, which is yet another use of different and non-trivial technology.

Accordingly, Applicant respectfully requests withdrawal of the Section 101 rejection.

§103 Rejections

Mellgren is basically a kiosk which provides menus that navigate users through a series of personalization options.

Two computers accomplish this function: the kiosk to take the order and a central computer to fulfill it.

This is different from the present invention. In one embodiment, a first user can lock or unlock what another user can or cannot change with respect to the personalization information.

The Examiner often refers to the "first user" of *Mellgren*, but there is no disclosure of such a first user. While the Examiner apparently states who the second user in *Mellgren* is, the Examiner never really identifies any portion of *Mellgren* corresponding with the first user. *See* Office Action at p. 5.

Even if this was an oversight, it is not possible to identify such a first user in *Mellgren* because there is none. There is simply no disclosure of a first user who is in the same organization as the second user, where the organization is the entity that is getting the personalized product.

It is true that someone must have programmed the menu options of the *Mellgren* kiosk. See Office Action ("For example in Figures 8, 9 and 10, the second user is provided overall as well as specific instructions from the [unidentified] first user of what aspects can be changed such as type of stamp or address.")

However, there is no suggestion that the programmer -- who is not even identified in *Mellgren* -- would be in the same organization as the second user. If anything, the programmer is going to be member of the stamp provider (i.e., the kiosk seller) and not in the same organization as the person ordering the stamp. *See* claim 75 ("personalized product [is] to be provided from a provider to an organization"). One of the advantages of the present invention is that it allows someone

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who is *not* in the business of providing stamps to restrict what stamps other people in the same organization can buy.

Given that neither *Mellgren* nor the Examiner identifies any such programmer, it is also no wonder that Mellgren does not teach that the programmer has different login information as the second user. While the Examiner relies on *Plantz* for this teaching, there is simply no teaching whatsoever indicating that the fictitious programmer would need particular login information.

For similar reasons, there is simply no second user as claimed. With respect to claim 75, the second user must be in the same organization as the first user and the aspects which the second user can and cannot change depends on two criteria: (1) the instructions provided by a first user of the organization and (2) the information which identifies the second user.

The Examiner admits by omission that *Mellgren* does not teach limiting what the second user can and cannot change based on the user's identity. The Examiner relies on *Plantz* to provide that teaching. *However, there is absolutely no suggestion or motivation in Mellgren to use the log-in information of the second user to limit what aspects the user can and cannot change.* The very first paragraph of the detailed description indicates that the purpose of the invention is to provide kiosks for use by consumers.

> The present invention is believed to be applicable to a variety of systems and arrangements for consumers to custom design imprintable media such as rubber stamps, signs and name plates, labels and calling cards. The invention has been found to be particularly advantageous in an application environment where a plurality of kiosks are coupled to a central computer system, the kiosks being available for consumers to create custom designs and order products. While the present invention is not so

limited, an appreciation of various aspects of the invention is best gained through a discussion of application examples operating in such an environment.

See *Mellgren*, col 3, lines 43-54. It would run counter to the consumer-oriented nature of *Mellgren* for the kiosk provider to limit what the second user can and cannot do *based on the second user's identity*. *See, e.g.,* claim 75 ("in accordance with the instructions and based on the second user's login information, distinguishing the aspects which the second user may change from those which the second user may not change"). In this regard, it is only with the benefit of hindsight that *Mellgren* would be combined with *Plantz*.

Applicant respectfully requests that rejections based on Mellgren be withdrawn.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.
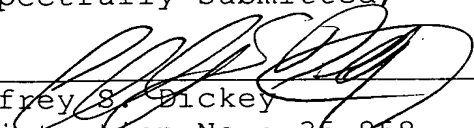
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 15, 2005   Respectfully submitted,

By _____
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